Cases pending in courts

107. SHRI PREM CHAND GUPTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that over 2.40 crore cases are pending in courts all over the country, whipping up a demand to set up more courts to help to clear the backlog;

(b) whether the process and its completion takes a long time and cases are frequently delayed or adjourned;

(c) whether it has been suggested that the Code of Civil Procedure, the Evidence Act and the Criminal Procedure Code must be reviewed to suit the present day necessities; and

(d) if so, the action Government are taking on this?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) and (b) There were 22,047 cases pending in the Supreme Court as on 28.2.2001, 35.16 lakh cases pending in the High Courts as on 30.9.2000 and 2.03 crore cases pending in the Subordinate Courts as in June, 2000.

Both Government and judiciary are concerned with mounting backlog of cases.

On the specific recommendation of the Eleventh Finance Commission, the Central Government have decided to set up 1734 additional courts in the country in the Subordinate Judiciary. These courts are expected to serve as fast track courts, and dispose of, on priority, long pending sessions cases, civil cases and criminal cases involving undertrials in jails.

(c) and (d) Amendment of Procedural law is a continuous process. A Bill namely 'The Code of Civil Procedure (Amendment) Bill, 2000 has been introduced in Parliament on 22nd December, 2000 and the same is pending before Parliament for consideration and passing. At present, there is no proposal to amend the Indian Evidence Act, 1872. As regards Criminal Procedure Code, the Law Commission of India has comprehensively reviewed the Code of Criminal Procedure, 1973. The Government has recently appointed a Committee under

the chairmanship of Shri Justice V.S. Malimath, former Chief Justice of Kerala and Karnataka High Courts, to suggest measures for revamping the Criminal Justice System.

Secretarial assistance to retired Supreme Court Judges

108. SHRI C. O. POULOSE:Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have since decided to give secretarial assistance to retired Supreme Court Judges;

(b) if so, the reasons therefor, even when Government are facing financial crunch; and

(c) whether it would not induce to be followed by the High Court Judges and afterwards by the bureaucrats at top level?

THE MINISTER OF LAW, JUSICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) The Government has *vide* Notification dated 25.5.2001 amended the Supreme Court Judges Rules, 1959 allowing the retired Chief Justices of India during their life time to a payment of rupees ten thousand per month for defraying the services of a stenographer on contract basis.

(b) and (c) The Chief Justice of India is the head of the Judiciary, one of the three wings of the Republic of India. Former Presidents of India and former Prime Ministers are also availing the benefits of secretarial staff. On the same analogy, secretarial assistance has been extended to the retired Chief justices of India. No proposal is under consideration of the Government to extend similar benefits to the retired Judges of the High Courts and others.